IN THE HIGH COURT OF JUDICATURE OF BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 6353 OF 2004

Smt.Anusaya Bhau Dalvi through his
C.A. Subhash Bhau Dalvi .. Petitioner

versus

Mr.Krishna Laxman Khandagale .. Respondent

...

Mr.V.S. Gharat for the petitioner.

Mr.P.S. Dani for the respondent.

CORAM : D.G. KARNIK, J

DATED : 16th February 2006.

P.C.:

1. Heard.

2. The petitioner filed a suit against the respondent for possession on the ground that the respondent was a licensee and the licence was terminated. The defence of the respondent that he was not a licensee but a tenant. Both the Courts below

have concurrently held that the respondent was a tenant. No ground for eviction under the provisions of Bombay Rent Act was made out.

3. In the circumstances, there is no merit in the petition which is hereby rejected.

(D.G. KARNIK, J)